

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

PIERRE CARL BERGERE,

Petitioner,

vs.

D.W. NEVEN, *et al.*,

Respondents.

2:12-cv-00080-JCM-PAL

ORDER

This action is a *pro se* petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254, by a Nevada state prisoner. Petitioner has submitted a habeas petition and seeks leave to proceed *in forma pauperis*. (ECF No. 1). In addition to filing the proper affidavit of inability to pay filing fees, a prisoner seeking to proceed *in forma pauperis* “shall submit a certified copy of the trust fund account statement (or institutional equivalent) for the prisoner for the 6-month period immediately preceding the filing of the complaint . . . obtained from the appropriate official of each prison at which the prisoner is or was confined.” 28 U.S.C. § 1915(a)(1), (2). Petitioner in the instant action has failed to submit an *in forma pauperis* application that provides the necessary financial information and includes a financial certificate signed by an authorized prison or jail officer.

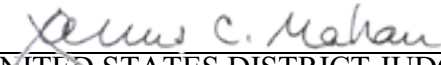
1 **IT IS THEREFORE ORDERED** that this action is **DISMISSED WITHOUT**
2 **PREJUDICE** to the filing of a new petition in a new action, with a proper *in forma pauperis*
3 application in compliance with 28 U.S.C. § 1915(a).

4 **IT FURTHER IS ORDERED** that the clerk of the court shall send petitioner two copies of
5 an *in forma pauperis* application form for a prisoner, one copy of the instructions for same, two
6 copies of a blank 28 U.S.C. § 2254 habeas corpus form, one copy of instructions for the same, and a
7 copy of the petition (ECF No. 1-1) in this action.

8 **IT IS FURTHER ORDERED** that petitioner may file a new petition and *in forma pauperis*
9 application in a new action, but he may not file further documents in this action.

10 **IT IS FURTHER ORDERED** that the clerk of the court shall enter judgment accordingly.

11 Dated this 23rd day of January, 2012.

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14 UNITED STATES DISTRICT JUDGE
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